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SUPREME COURT
STATE OF WASHINGTON

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BY RONALD R. CARPENTER

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THE SUPREME COURT OF COURT WASHINGTON

In re

Bar No. 4161

JACK L. BURTCH,
An Attorney at Law

Supreme Court No. 200470-9

REPLY TO ASSOCIATION'S
PETITION FOR INTERIM
SUSPENSION

Reference is made to cause number 200469-5 and the brief filed therein. Respondent attorney asks that you consider said brief in your decision regarding interim suspension.

I have denied all of the charges in the Bar Association's complaint against me. I also have challenged all of the Findings of fact made by the hearing officer on the basis that I did not receive a fair hearing, that there is no substantial evidence supporting the Findings, and that my due process rights were violated.

I do not believe that the disciplinary board made a proportionality analysis in arriving at their decision.

I admit that I have prior disciplinary sanctions, but none of them are based on a dishonest or selfish motive. I should not have to be punished again for those complaints.

At the present time I have numerous pending trials, appeals pending before two divisions of the Court of Appeals, and the Quinault Tribal Appeals Court. An interim suspension would have a severe impact on my clients in those cases. I do not believe that anybody else could prepare themselves properly, in a timely fashion, in order to adequately represent those clients.

I started practicing law in October of 1955. The Bar Association in those days made a serious attempt to resolve any problems regarding attorney's violations of the rules of ethics. The emphasis was on solving the problem, instead of on punitive measures.

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ORIGINAL

1 Since that time the Bar Association has grown tremendously in size, and the emphasis has
2 changed completely from solving problems to punishment.

3 It is my position that Bar counsel for the Washington State Association are inexperienced
4 regarding the real world, and the myriad of different personalities that attorneys in private practice
5 has to deal with. In doing this, I believe that Bar counsel for the Washington State Bar Association
6 has a unrealistic attitude about complaints. It has become more of a prosecutorial attitude instead
7 of the one designed to remedy problems.

8 I submit in that in almost 52 years of practice, that I have proven that I am a competent and
9 honest attorney.

10 I object to the Bar Association's charge that I pose a substantial threat of serious harm to
11 the public. I deny entirely any misconduct as to the two charges, which form the basis of the
12 complaint against me.

13 I did not have a dishonest or selfish motive in either of the complaints against me. It has
14 cost me far more in this case in attorney fees than had I merely complied with the demands of Ms.
15 McGuin and Ms. Moreland. My objection was based upon principle, and not upon dishonest or
16 selfish motives.

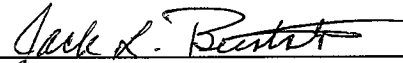
17 I also feel that an interim suspension, without a final decision of this court, is basically and
18 inherently unfair. The rules give me a right to appeal, but ELC 7.2(2) diminishes this right to
19 almost the point of extinguishment. Such a suspension would have an effect on my reputation that
20 could not be cured by a successful appeal.

21 Even an attorney should have the privilege to assert his rights in a fair manner.

22 The main reason however for my objection to interim suspension is the harm that it would
23 do the clients that I am presently representing.

24 DATED: May 9, 2007

25 LAW OFFICE OF JACK L. BURTCH

26 

Jack L. Burtch, WSBA #4161
Pro Se

CERTIFICATE OF SERVICE

I certify that on the 9th day of May, 2007, I caused a true and correct copy of the foregoing REPLY TO ASSOCIATION'S PETITION FOR INTERIM SUSPENSION to be served on the following via first class mail:

Mr. Jonathan Burke
Disciplinary Counsel
Washington State Bar Association
1325 4th Avenue, Suite 600
Seattle, WA 98101


ERICA L. KELLY

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